



PATENTS
VPI/SW/006 FWC DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Roland E. Dolle, et al.
Application No. : 10/668,475 Confirmation No. : 2933
Filed : September 22, 2003
For : 4-PYRIDAZINECARBOXAMIDES AND ESTERS AS
INTERLEUKIN-1 β CONVERTING ENZYME
INHIBITORS
Group Art Unit : 1624
Examiner : Dr. Thomas C. McKenzie, Ph.D.

Palo Alto, CA 94301
September 13, 2004

Mail Stop: Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER UNDER
37 C.F.R. § 1.321(b) and (c)

Sir:

VERTEX PHARMACEUTICALS INCORPORATED, a corporation organized and existing under the laws of the Commonwealth of Massachusetts, having an office and place of business at 130 Waverly Street, Cambridge, Massachusetts 02139-4242 ("VERTEX PHARMACEUTICALS INC."), represents that it is the assignee of record of the entire right, title and interest, by assignment, of the following:

United States patent application No. 10/668,475 ("the '475 application"), entitled "4-PYRIDAZINECARBOXAMIDES AND ESTERS AS INTERLEUKIN-1 β CONVERTING ENZYME INHIBITORS," filed on September 22, 2003; which application is a divisional of U.S. patent application 08/625,680 ("the '680 application"), filed April 3, 1996, now U.S. Patent 6,624,166 ("the '166 patent"), which is a continuation of U.S. patent application 08/452,767, filed May 30, 1995, now abandoned; which is a continuation of U.S. patent application 08/073,914 ("the '914 application"), filed June 8, 1993, now abandoned.

Assignments of the entire right, title and interest in and to the subject matter of the '475 application and the '166 patent were recorded in the United States Patent and Trademark Office:

- (1) in the '680 application on March 16, 1998 at Reel/Frame 9067/0001; on March 6, 1998 at Reel/Frame 9440/0948; and on January 26, 1998 at Reel/Frame 8934/0212 (copies enclosed); and
- (2) in the '914 application on November 25, 1996 at Reel/Frame 8178/0289 and on June 8, 1993 at Reel/Frame 6590/0643 (copies enclosed).

The undersigned, on behalf of VERTEX PHARMACEUTICALS INCORPORATED, hereby disclaims the terminal portion of any patent granted on the '475 application which would extend beyond the expiration date of the '166 patent.

The undersigned, on behalf of VERTEX PHARMACEUTICALS INCORPORATED, agrees that any patent so granted on the '475 application shall be enforceable only for and during such period as the legal title to said patent shall be the same as the legal title to the '166 patent, this agreement to run with any patent granted on the '475 application and to be binding upon the grantee of the patent and its successors and assigns.

The undersigned does not disclaim any terminal portion of any patent granted on the '475 application prior to the full statutory term of the '166 patent, in the event that the '166 patent subsequently (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid by a court of competent jurisdiction, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), (e) has all claims canceled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

1. The undersigned is an attorney of record in the '475 application and is authorized to act on behalf of assignee corporation in connection with said application; and

2. The above-identified assignment documents have been reviewed and, to the best of the undersigned's and assignee's knowledge and belief, title to the '475 application and the '166 patent is in assignee.

VERTEX PHARMACEUTICALS INCORPORATED



Tae Bum Shin
Limited recognition pursuant
to 37 C.F.R. §10.9(b)

(Signed in a representative
capacity as Agent for
Applicants pursuant to 37
C.F.R. § 1.34(a))

for:

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